



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONS 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

CC: ORC
EPA Region 5 Records Ctr.



326180

APR 03 2009

Certified Mail
Return Receipt Requested

REPLY TO THE ATTENTION OF:

Ameren CIPS
c/o: Joseph Madonia, Esq.
Wildman Harrold
225 West Wacker Drive
Chicago, IL 60606-1229

C-14J

Schering Plough
c/o: Tricia H. Foley, Esq.
Day Pitney, LLP
242 Trumbull Street
Hartford, CT 06103

Sigma Chemical Co.
c/o: Tanya C. O'Neill, Esq.
Foley & Lardner, LLP
777 East Wisconsin Avenue
Milwaukee, WI 53202-5306

Re: RRG/Clayton Chemical Co. Superfund Site (Sauget, IL), March 2008 CERCLA
UAO #V-W-08-C-893, Complying Potentially Responsible Parties (PRP) Letter
of March 31, 2009 on Oversight Costs Bill

Dear Counsels:

The United States Environmental Protection Agency (EPA) is in receipt of your letter of March 31, 2009, wherein you indicate that you believe that your clients should not be required to pay the March 11, 2009 oversight costs bill issued under the above referenced EPA March 5, 2008 unilateral Administrative Order for the above referenced Site.

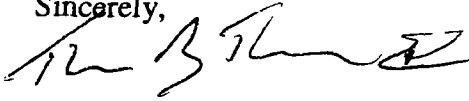
EPA does not agree with your legal rationale for your clients not paying the oversight costs bill. Your clients are properly named as viable and liable parties under the UAO, and voluntarily determined to comply with the order. Under CERCLA, your clients share joint and several liability. One of the requirements of the order (at Section VIII) is reimbursement of costs. Thus, your clients are responsible for the costs under the order.

However, based on the willingness of your clients to comply with the order, EPA will reissue the March 11, 2009 oversight costs bill to all named viable and liable PRPs under the March 2008 UAO. Your clients will receive an additional 30 day period from the date of the new bill to make payment. Please be aware that due to joint and several

liability, EPA will look to your clients to pay the bill in the event of non-compliance from the other recipients.

Please feel free to contact me with any comments or questions by e-mail ('turner.thomas@epa.gov') or at 312/886-6613,

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom Turner', with a stylized flourish at the end.

Tom Turner
Associate Regional Counsel

cc: Rick C. Karl, Director
Superfund Division

K. Turner, OSC
Superfund Division

W. Ryczek, Enf. Spec.
Superfund Division

J. Poetter, Finance/Accounting Section
U.S. EPA, Region 5-Cincinnati, OH Ofc.